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THOMAS A. FASSHAUER
BOARD PRESIDENT

DIANE MOTT
BOARD SECRETARY

August 28, 2013

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: Appeal of USAC Denial – Funding Year 2013

Contact:

Ginger Stanton
Wayne Highlands School District
474 Grove Street,
Honesdale, PA 18431
Phone: (570)253-4661
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E-mail: stanton.ginger@waynehighlands.org

Billed Entity Number: 125977
Form 471 Application Number: 907406
CC Docket No. 02-6

Dear Ms. Dortch,

I am writing to respectfully request the FCC to overturn a USAC PIA denial for FY 2013. The reason for the denial as stated in the FCDL was:

The Contract Award Date was changed from 03/04/2013 to 03/05/2013 to agree with the documentation provided during the review of the FCC Form 471. FCC Rules require that a contract be signed and dated by the applicant prior to the filing of the FCC Form 471 for the products and services requested. This requirement was not met.

Summary:

The District submitted its Form 470, waited 28 days, then inadvertently submitted the Form 471 before signing the contract. The contract was signed well before the Form 471 deadline.

Background:

While I understand that USAC was required to deny the funding request due to the fact that my Form 471 was submitted prior to the contract signing date, I respectfully request the FCC overturn the denial or waive its rules to permit the funding of this funding request because the 28-day bidding requirement was not compromised in any way. In my haste to submit my application early, I committed a ministerial error and did not actually sign the contract until March 5, 2013 – 4 days after I submitted the Form 471 (which was March 1, 2013).

MISSION: TO PROMOTE A SCHOOL-COMMUNITY ALLIANCE DEDICATED TO:
• DYNAMIC EDUCATIONAL PROCESSES • SUCCESS FOR ALL STUDENTS
• LIFELONG LEARNING • RESPECT FOR ONESELF AND SOCIETY

"An Equal Opportunity Employer and Educational Organization"

The documentation that was submitted contained the vendor proposal describing the services in detail as well as the Addendum to the Master Agreement and Proposal which has a signature date of March 5, 2013. The only error that I committed was that I submitted the 471 early. The 28-day bidding process was not compromised in any way.

The corresponding Form 470 #203550001107834 Notification letter was dated 1/25/2013 with an allowable contract date of 2/22/2013. During this time, we received 11 bids which resulted in a bid evaluation. After evaluating all of the bids and choosing a vendor, I was eager to submit the 471 early, as USAC recommends, so the Form #471 was submitted on March 1, 2013.

Although it is not entirely relevant to the facts of this case, I want you to know that the prior year's funding request for the same service (FCC Form 861356) is also in appeal due to a telecommunications vs. internet checkbox error on the 470 where we inadvertently listed the services as a telecommunications service instead of an Internet service. Unfortunately, the FCC's new rule that it didn't matter which box you checked under Priority 1 on the Form 470 didn't come into effect until FY 2013. But as a result of this denial in FY 2012, I was forced to repost the Form 470 for this service, conduct a bid evaluation, and resign the contract. So this is the second year in a row that this service has been denied funding.

As a district located in a rural area, we find it extremely difficult to keep up with the bigger urban districts where technology is concerned. We have been trying to give our students the best tools needed with the money that we have, so this Webhosting reimbursement is extremely important to insure our students will be best equipped when they enter the workforce.

Our District does not hire an E-rate consultant to prepare our application forms, but instead tries to save as much of our E-rate funding as possible by trying to navigate the process ourselves.

The application requests a total amount of about \$7,212.37 – a large amount of money to our District.

Thank you for your consideration of our request.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ginger Stanton".

Ginger Stanton
Administrative Assistant